

AN ORDINANCE

**9 8 1 8 0**

**ACCEPTING THE BID FROM EXPRESS VIDEO, INC., FOR THE PURCHASE OF 293 GAMBLING DEVICES (EIGHT-LINERS) IN THE AMOUNT OF \$124,818.00, SEIZED AS A RESULT OF CRIMINAL INVESTIGATIONS IN SAN ANTONIO AND SUBSEQUENTLY FORFEITED BY ORDERS OF THE COURTS.**

\* \* \* \* \*

**WHEREAS**, criminal investigations conducted by the City of San Antonio ("City") Police Department, initiated by citizen concerns, resulted in the seizure and subsequent forfeiture by the courts of 293 gambling devices, commonly referred to as "eight liners" and related equipment; and

**WHEREAS**, the City, in an effort to recoup a portion of the costs associated with the seizure and storage of the devices during the required period pending forfeiture, conducted an informal bid solicitation for the sale of the devices; and

**WHEREAS**, Express Video, Inc. submitted the highest bid at \$426.00 per machine for a total of \$124,818.00 for the entire lot; and

**WHEREAS**, as a condition of the bid award, Express Video, Inc. has agreed to remove the gambling devices from the State of Texas within 30 days of award, and in accordance with Federal and State laws, and to refrain from returning the devices to the State; and

**WHEREAS**, pursuant to an existing Interlocal Agreement with the Bexar County District Attorney's Office ("BCDAO"), and additional discussions with and representations made by the BCDAO, the proceeds of the sale of these gambling devices will be used to defray the costs associated with seizure and storage, the costs of same at present exceeding the proceeds of this sale; **NOW THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The high bid submitted by Express Video, Inc. to purchase 293 gambling devices and related equipment from the City of San Antonio for the total sum of \$124,818.00 is hereby accepted. All other bids will be considered rejected upon the deposit by the successful bidder of all required bonds, performance deposits and insurance certificates or the expiration of sixty days from the effective date hereof, whichever occurs first. The bid is attached hereto and incorporated herein as Attachment A.

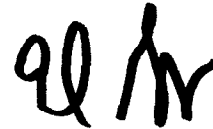
**SECTION 2.** The amount of \$124,818.00 collected from Express Video, Inc. for the sale 293 criminal instruments (8-Liners) shall be deposited in Fund 29-012006 (Miscellaneous Special Revenue Fund) in Index Code 012161 entitled "Confiscated Property".

**SECTION 3.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific Index Codes and Fund Numbers as necessary to carry out the purpose of this Ordinance.

LOC  
9/18/03  
Item No. 32

**SECTION 4.** This ordinance shall take effect ten days from the date of passage.

**PASSED AND APPROVED** this 18 day of September, 2003.



M A Y O R

ATTEST:  **EDWARD D. GARZA**  
City Clerk

APPROVED AS TO FORM:   
City Attorney